

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE

Therese Lawrence

v.

Case No. 21-cv-641-LM

Walgreens

**REPORT AND RECOMMENDATION**

Plaintiff Therese Lawrence, proceeding pro se, has sued her former employer, Walgreens, for wrongful termination. On April 6, 2022, the court conducted a video discovery status conference at which Ms. Lawrence failed to appear, despite receiving notice of the hearing and having personally communicated with the case manager about the hearing prior to its scheduled day and time.

Previously, the court issued a procedural Order ([Doc. No. 9](#)) following Ms. Lawrence's failure to appear at two scheduled hearings or meaningfully participate in the creation of a discovery plan. That Order cautioned Ms. Lawrence that "[g]oing forward, disregard of the court's orders and/or failure to appear may result in sanctions, including dismissal for failure to litigate." Id. at 2.

Given Ms. Lawrence's multiple failures to appear and otherwise participate in this litigation, the district judge should dismiss the matter for lack of prosecution, sua sponte, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

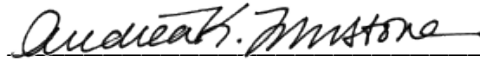
See [Torres-Álamo v. Puerto Rico](#), 502 F.3d 20, 25 (1st Cir. 2007) (“A district court, as part of its inherent power to manage its own docket, may dismiss a case for any of the reasons prescribed in . . . Rule 41(b); [Cintrón-Lorenzo v. Departamento de Asuntos del Consumidor](#), 312 F.3d 522, 526 (1st Cir. 2002) (citation omitted) (court may dismiss an action under Rule 41(b) if plaintiff fails to diligently prosecute the matter).

### **Conclusion**

Based on the foregoing, the district judge should dismiss this case in its entirety for failure to prosecute.

Any objections to this Report and Recommendation must be filed within fourteen days of receipt of this notice. See [Fed. R. Civ. P. 72\(b\)\(2\)](#). The fourteen-day period may be extended upon motion.

Only those issues raised in the objection(s) to this Report and Recommendation are subject to review in the district court. See [Sch. Union No. 37 v. United Nat’l Ins. Co.](#), 617 F.3d 554, 564 (1st Cir. 2010). Any issues not preserved by such objection(s) are precluded on appeal. See [id.](#) Failure to file any objections within the specified time waives the right to appeal the district court’s Order. See [Santos-Santos v. Torres-Centeno](#), 842 F.3d 163, 168 (1st Cir. 2016).

A handwritten signature in black ink, reading "Andrea K. Johnstone", written over a horizontal line.

Andrea K. Johnstone  
United States Magistrate Judge

April 6, 2022

cc: Therese Lawrence, pro se  
Melinda J. Catherine, Esq.